



Sen. Don Harmon

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09400HB1349sam001

LRB094 09441 RLC 45838 a

1 AMENDMENT TO HOUSE BILL 1349

2 AMENDMENT NO. _____. Amend House Bill 1349 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by adding
5 Section 24-9.5 as follows:

6 (720 ILCS 5/24-9.5 new)

7 Sec. 24-9.5. Handgun safety devices.

8 (a) It is unlawful for a person licensed as a federal
9 firearms dealer under Section 923 of the federal Gun Control
10 Act of 1968 (18 U.S.C. 923) to offer for sale, sell, or
11 transfer a handgun to a person not licensed under that Act,
12 unless he or she offers for sale, sells, or includes with the
13 handgun a device or mechanism, other than the firearm safety,
14 designed to render the handgun temporarily inoperable or
15 inaccessible. This includes but is not limited to:

16 (1) An external device that is:

17 (i) attached to the handgun with a key or
18 combination lock; and

19 (ii) designed to prevent the handgun from being
20 discharged unless the device has been deactivated.

21 (2) An integrated mechanical safety, disabling, or
22 locking device that is:

23 (i) built into the handgun; and

24 (ii) designed to prevent the handgun from being

1 discharged unless the device has been deactivated.

2 (b) Sentence. A person who violates this Section is guilty
3 of a Class C misdemeanor and shall be fined not less than
4 \$1,000. A second or subsequent violation of this Section is a
5 Class A misdemeanor.

6 (c) For the purposes of this Section, "handgun" has the
7 meaning ascribed to it in clause (h)(2) of subsection (A) of
8 Section 24-3 of this Code.

9 (d) This Section does not apply to:

10 (1) the purchase, sale, or transportation of a handgun
11 to or by a federally licensed firearms dealer or
12 manufacturer that provides or services a handgun for:

13 (i) personnel of any unit of the federal
14 government;

15 (ii) members of the armed forces of the United
16 States or the National Guard;

17 (iii) law enforcement personnel of the State or any
18 local law enforcement agency in the State while acting
19 within the scope of their official duties; and

20 (iv) an organization that is required by federal
21 law governing its specific business or activity to
22 maintain handguns and applicable ammunition;

23 (2) a firearm modified to be permanently inoperative;

24 (3) the sale or transfer of a handgun by a federally
25 licensed firearms dealer or manufacturer described in item
26 (1) of this subsection (d);

27 (4) the sale or transfer of a handgun by a federally
28 licensed firearms dealer or manufacturer to a lawful
29 customer outside the State; or

30 (5) an antique firearm."